

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RICHARD STRYKER,

16-cv-9424 (JGK)

Plaintiff,

- against -

ORDER

HSBC SECURITIES (USA), ET AL.,

Defendants.

JOHN G. KOELTL, District Judge:

The defendants have requested that the Court instruct the jury that "Stryker cannot be awarded any damages for lost wages." ECF No. 373, at 2.


At the June 24, 2021 conference in this case, the Court ruled that the plaintiff could not produce records regarding his employment history subsequent to his termination from HSBC, unless "the plaintiff proffered evidence that a specific opportunity was denied to him because of the difference between his position as [a financial advisor] rather than a [premier relationship advisor.]" ECF No. 335, at 5-6. The defendants correctly point out that the Court noted that the plaintiff had failed to proffer any such evidence and stated at his deposition that he had no such evidence. See id.

Accordingly, the Court will explain to the jury that there is no issue in this case with regard to the plaintiff's termination, and that there is no claim for lost wages from HSBC

after his termination, and no claim for damages for the plaintiff's failure to obtain any other job following his employment with HSBC (assuming that the plaintiff cannot proffer evidence that any such failure was due specifically to the alleged demotion that is at issue in this case, and explain why such evidence was not previously produced in discovery).

SO ORDERED.

**Dated: New York, New York
November 11, 2021**



**John G. Koeltl
United States District Judge**